



SO ORDERED,

A handwritten signature in blue ink, reading "Neil P. Olack".

Judge Neil P. Olack
United States Bankruptcy Judge
Date Signed: May 14, 2019

The Order of the Court is set forth below. The docket reflects the date entered.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: COMMUNITY HOMES FINANCIAL
SERVICES, INC.**

CASE NO. 12-01703-NPO

OCWEN LOAN SERVICING, LLC

PLAINTIFF

V.

**COMMUNITY HOMES FINANCIAL
SERVICES, INC., Debtor**

RESPONDENT

**AGREED ORDER AMENDING DEFAULT ORDER
GRANTING MOTION FOR RELIEF FROM STAY [Dkt #2557]**

THIS CAUSE came to be heard on the *ore tenus* Motion to Amend *Default Order Granting Motion for Relief from Stay* [Dkt #2557) and the Court having been advised that the parties have reached an agreement with respect to the Motion and that they desire to memorialize their agreement in this Agreed Order, and being otherwise advised in the premises, the Court is of the opinion that the agreement of the parties is fair, equitable, and appropriate and should be set forth herein. The Court does hereby find, order, and adjudicate as follows:

1. This Court has jurisdiction of the matter pursuant to 28 U.S.C. § 1334(a) and 11

U.S.C. §§362, 363 and 552(b).

2. Community Homes Financial Services, Inc. (the “**Debtor**”) filed its petition under Chapter 11 of the Bankruptcy Code on May 23, 2012 (the “**Bankruptcy Case**”). Kristina M. Johnson was subsequently appointed as Trustee.

3. Upon information and belief, according to a title report provided by counsel for Ocwen to counsel for the Trustee, the Debtor is a junior lienholder regarding certain real property identified in the Motion and more commonly described as 133 S. Willow St., Toluca, IL 61369 (the “**Property**”).

The real property is more particularly described as follows, and is situated in Montgomery County, Indiana:

Situated in the City of Dayton, in the County of Montgomery and State of Ohio, and being Lot numbered thirteen thousand three hundred ninety (13390) of the consecutive numbers of lots on the revised plat of the said city of Dayton

4. The indebtedness owed to Ocwen is evidenced by a Note and Mortgage identified in the Motion and attached thereto. Ocwen asserts that the indebtedness owed to Ocwen is approximately \$4,009.86.

5. Ocwen asserts that the value of the Property is approximately \$13,956.00.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Automatic Stay is lifted as it pertains to Ocwen and the Property for all purposes regarding Ocwen, its successors, agents and assigns.

IT IS FURTHER ORDERED AND ADJUDGED, that Ocwen and/or its successors, agents, representatives or holder of the Note and Mortgage shall be permitted to proceed with foreclosure proceedings pursuant to applicable law, and, thereafter, commence any action necessary to obtain complete possession thereof.

IT IS FURTHER ORDERED AND ADJUDGED, that any and all notices regarding the foreclosure on the Property, including, but not limited to, the results of the foreclosure, an accounting of the application of the proceeds thereof, and any other information regarding this matter that the Trustee requests, shall be provided to the Trustee by Ocwen and/or its successors, agents, representatives or holder of the Note and Mortgage.

IT IS FURTHER ORDERED AND ADJUDGED that all monies recovered in excess of the amount owed to Ocwen shall be deposited with the Trustee to be applied in accordance with the priority of the Debtor's lien on the Property.

##END OF ORDER##

Agreed, Approved, and Prepared by:

/s/John D. Moore
John D. Moore, MSB# 10610
Attorney for the Trustee

Agreed and Approved:

/s/Holly C. Ratcliff
Holly C. Ratcliff, MSB#4634
Attorney for Ocwen Loan Servicing, LLC